



**EXPEDITED RULE MAKING
(RCW 34.05.353)**

**CR-105 (11/1/01)
EXPEDITED RULE MAKING ONLY**

Agency: Energy Facility Site Evaluation Council

(a) Title of rule: (Describe Subject) **WAC 463-06-040 Meetings**

This rule identifies the schedule for regular meetings of the Energy Facility Site Evaluation Council and its Executive Committee.

Purpose: **Repeal of WAC 463-06-040 Monthly Meetings.**

Other identifying information: None

(b) Statutory authority for adoption: RCW 80.50.040

Statute being implemented:

(c) Summary: The Council has determined that WAC 463-06-040 is not necessary due to legislative changes to its membership, its variability in workload year-to-year, and the requirements of the Open Public Meetings Act (Chapter 42.30 RCW) that require yearly publication of the Council's meeting schedule in the State Register as well as other meeting notification requirements.

Reasons supporting proposal: See above and section "j".

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting..... Allen J. Fiksdal	925 Plum St. Olympia, WA 98504-3172	360-956-2152
2. Implementation.... Same	Same	Same
3. Enforcement..... Same	Same	Same

(e) Name of proponent (person or organization): Energy Facility Site Evaluation Council

☐ Private
☐ Public
☒ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:
None

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT Citation:
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Allen J. Fiksdal

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AND RECEIVED BY (Date) February 24, 2004

NAME (TYPE OR PRINT)

Allen J. Fiksdal

SIGNATURE

TITLE

EFSEC Manager

DATE

12-16-2003

CODE REVISER USE ONLY

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

Legislative changes in 2001 reduced the number of agencies represented on the Council. As a result the Council has changed internal operational circumstances and has eliminating the need of an Executive Committee. Over the past few years the Council has needed to vary the frequency of meetings to match its workload as a result of a quickly changing energy markets. The repeal of WAC 463-06-040 is intended to give the Council more flexibility regarding its regularly scheduled meetings due to changing circumstances that it expects in the future regarding siting and monitoring of energy facilities.

Under Chapter 42.30 RCW boards and commissions like the Energy Facility Site Evaluation Council must publish their regular meeting schedule at the beginning of each year in the State Register. The Council also sends its meeting agendas to a mail list prior to each meeting. The publication of a meeting schedule in the State Register and issuance of agendas informs the public of the Council meetings. If work load requires changes to regular meeting schedules, then notification in the State Register is more timely and efficient than changes to a rule.

Because of the meeting notification procedures in RCW 42.30 RCW repeal of WAC 463-06040 will not cause any reduction in public notification or awareness of the Council's meeting schedule.

Does proposal change existing rules? ☒ YES ☐ NO

If yes, describe changes:

Repeal of **WAC 463-06-040 Monthly Meetings.**